

April 11, 1974

PRESIDENT: The bill is passed.

CLERK: Read LB651.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? All those in favor vote aye. All those opposed vote no. Have you all voted? Once again, have you all voted? Clerk will record. Senator Syas changing from aye to nay.

CLERK: Read record vote. (Page 1662 of Journal).

PRESIDENT: Senator Kelly, Senator Kelly changing from no to aye. Thank you.

CLERK: 43 ayes, 4 nays, 2 not voting.

PRESIDENT: Thank you. The bill is passed. Attention please, the Final Reading of LB678.

CLERK: Motion on the desk, Mr. President.

PRESIDENT: Read the motion on the desk.

CLERK: I move to return LB678 to Select File for specific amendment, strike the enacting clause. Signed, Senator Stahmer.

PRESIDENT: The Chair recognizes Senator Stahmer.

SENATOR STAHMER: Mr. President, members of the Body. I'm going to be very brief on this. I don't want to delay us any more than I have to. As I wisely or unwisely underlined this bill to allow it to live, it was probably one of the most foolish things I ever did down here but I've done other foolish things. But I would say this. The bill was originally to help Lincoln with a parking garage. That's knocked out now. There's a great danger that it might cause some severe problems in road building up in Omaha. They didn't even want it in the first place and I'm the one that allowed this crazy thing to live. We now have amended it so that it could affect all the highway construction in the Omaha area. That was not the intent of the original bill. That was the intent of the amendment that was put on it. I think we ought to get rid of this bill and if we want to do something better for parking for or against or for road bonds, for or against, or for highways, for or against, let's have a little study and come in with something and not just pass something that was amended at the last minute that might vitally delay highway construction, possibly highway construction, possibly Omaha and Lincoln, outstate, villages and counties. I move to return it to indefinitely postpone.

PRESIDENT: Senator Chambers, the motion is to return to Select File for specific amendment. That would be to strike the enacting clause.

SENATOR CHAMBERS: Mr. President, now I think it's my responsibility to bring something to your attention that you might want to consider. Based on the way the law was originally before any amendments were put in it, there was an unconstitutional provision in it which could be made constitutional only by the inclusion of Omaha. That was done. That would have made the bill at least constitutional.